

By: Bonnen of Brazoria

H.B. No. 3470

A BILL TO BE ENTITLED

AN ACT

relating to ad valorem taxation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 140.010(f), Local Government Code, is amended to read as follows:

(f) A county or municipality shall:

(1) provide the notice required by Subsection (d) or (e), as applicable, not later than the later of September 1 or the 30th day after the date the certified appraisal roll is received by the taxing unit by:

(A) publishing the notice in a newspaper having general circulation in:

(i) the county, in the case of notice published by a county; or

(ii) the county in which the municipality is located or primarily located, in the case of notice published by a municipality; or

(B) mailing the notice to each property owner in:

(i) the county, in the case of notice provided by a county; or

(ii) the municipality, in the case of notice provided by a municipality; and

(2) post the notice on the Internet website of the county or municipality, if applicable, beginning not later than the

1 later of September 1 or the 30th day after the date the certified  
2 appraisal roll is received by the taxing unit and continuing until  
3 the county or municipality adopts a tax rate.

4 SECTION 2. Section 11.131(c), Tax Code, is amended to read  
5 as follows:

6 (c) The surviving spouse of a disabled veteran who qualified  
7 for an exemption under Subsection (b) when the disabled veteran  
8 died, or of a disabled veteran who would have qualified for an  
9 exemption under that subsection if that subsection had been in  
10 effect on the date the disabled veteran died, is entitled to an  
11 exemption from taxation of the total appraised value of the same  
12 property to which the disabled veteran's exemption applied, or to  
13 which the disabled veteran's exemption would have applied if the  
14 exemption had been authorized on the date the disabled veteran  
15 died, if:

16 (1) the surviving spouse has not remarried since the  
17 death of the disabled veteran; and

18 (2) the property:

19 (A) was the residence homestead of the surviving  
20 spouse when the disabled veteran died; and

21 (B) remains the residence homestead of the  
22 surviving spouse.

23 SECTION 3. Subchapter B, Chapter 11, Tax Code, is amended by  
24 adding Section 11.35 to read as follows:

25 Sec. 11.35. INVENTORY. A person is entitled to an exemption  
26 from taxation by a school district of 10 percent of the appraised  
27 value of that portion of the tangible personal property the person

1 owns that consists of inventory for which the person is not  
2 otherwise entitled to an exemption from taxation.

3 SECTION 4. Section 23.014, Tax Code, is amended to read as  
4 follows:

5 Sec. 23.014. EXCLUSION OF PROPERTY AS REAL PROPERTY.  
6 Except as provided by Section 23.24(b), in determining the market  
7 value of real property, the chief appraiser shall analyze the  
8 effect on that value of, and exclude from that value the value of,  
9 any:

- 10 (1) tangible personal property, including:  
11 (A) a trade fixture [fixtures]; or  
12 (B) a vent hood installed in a restaurant  
13 kitchen;  
14 (2) intangible personal property; or  
15 (3) other property that is not subject to appraisal as  
16 real property.

17 SECTION 5. This Act applies only to an ad valorem tax year  
18 that begins on or after the effective date of this Act.

19 SECTION 6. (a) Except as provided by Subsections (b) and (c)  
20 of this section, this Act takes effect January 1, 2016.

21 (b) Section 11.131(c), Tax Code, as amended by this Act,  
22 takes effect January 1, 2016, but only if a constitutional  
23 amendment authorizing the legislature to provide for an exemption  
24 from ad valorem taxation of all or part of the market value of the  
25 residence homestead of the surviving spouse of a 100 percent or  
26 totally disabled veteran who died before the law authorizing a  
27 residence homestead exemption for such a veteran took effect is

1 approved by the voters. If such an amendment is not approved by the  
2 voters, Section 11.131(c), Tax Code, as amended by this Act, has no  
3 effect.

4 (c) Section 11.35, Tax Code, as added by this Act, takes  
5 effect January 1, 2016, but only if a constitutional amendment  
6 authorizing the legislature to exempt from ad valorem taxation by  
7 one or more political subdivisions all or part of the market value  
8 of the tangible personal property a person owns that consists of  
9 inventory is approved by the voters. If such an amendment is not  
10 approved by the voters, Section 11.35, Tax Code, as added by this  
11 Act, has no effect.